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Geneva in 1906, and at The Hague in 1899 and 1907. These rules, with a few significant but relatively unimportant exceptions, have been accepted by the great majority of civilized nations and, supplemented where necessary by the general principles of international law, furnish material for a complete code. For this purpose these written rules or acts of the conferences are particularly adaptable, as they have uniformly been drawn in terse, concise language and framed in numbered paragraphs or articles. To assemble such a code has been the aim of the author.

The code as drawn consists of one hundred and thirty-nine articles. The first fifteen are all rules of the author gathered under the title of "General Principles." The fact that only ten others are drawn by the author is evidence of the completeness of the work of these conferences.

The Hague Convention No. iv of 1907 "Respecting the Laws and Customs of War on Land," together with the *Règlement* or Regulations annexed to it, forms the backbone of the author's code. To it is prefixed The Hague Convention No. iii of 1907 "Relative to the Commencement of Hostilities," and affixed, The Hague Convention No. v of 1907 "Concerning the Rights and Duties of Neutral Powers and Individuals in Case of a War on Land." The Convention of Geneva of 1906 "For the Improvement of the Condition of the Wounded and Sick in Armies in the Field," the St. Petersburg Declaration of 1868 and the three Hague Declarations, one of 1907 and two of 1899, are inserted at the logical places among the articles taken from The Hague Regulations of 1907.

While the author's articles are not unimportant, the value of the book lies, as will have been seen from the above statement, largely in the coördination of these various detached diplomatic acts. There is, however, an additional feature which must not be disregarded. To by far the greater part of these articles the author has subjoined comments of his own. These are, it is true, for the most part explanatory or merely by way of reference, but there are not a few which are critical in their nature. Nor should mention be omitted of the various appendices, containing brief historical notes as to the diplomatic acts which form the body of the work, together with their texts and lists of powers which became parties to them.

Excellent mechanically, the volume is very compact in substance, and its inclusiveness coupled with its brevity will make it a very convenient manual. The author's name vouches for its reliability.

A. R. G.

A TREATISE ON FACTS OR THE WEIGHT AND VALUE OF EVIDENCE. By Charles C. Moore. In two volumes. Northport, Long Island: Edward Thompson Company. 1908. pp. clxviii, 73; 730-1612. 8vo.

The successful treatment of the subject "Facts" is peculiarly difficult. It is not only the infinite variety of the forms that facts assume and the vast number of the laws governing things that imperil success. The common opinion that after a moderate experience the average mind is able to deal justly with even the most complex facts is a considerable barrier to the production of a profound treatise on "Facts." It is therefore a matter of congratulation when this comparatively little trodden path is widened and straightened.

The express design of Mr. Moore's treatise is "to facilitate the preparation for trial, the argument, and the decision of questions of fact, by exhibiting what has been said by United States, Canadian, and English judges concerning the causes of trustworthiness and untrustworthiness of evidence, and the rules for determining its probative weight."

This treatise divides into two parts, that containing various bits of information that have proved and may prove useful in the trial of cases; and that concerned with the rules of law more especially applicable to the judgment of facts.

The first division is the more useful and by far the more interesting. For instance, it is the rare lawyer who knows that although a person in the open can tell whether a sound comes from the right hand or the left, he may not be able to tell whether it comes from in front or behind; and yet how valuable would such a bit of information prove in the cross-examination of a witness as to the

position of a sound when the direction of the sound was material. That the author has not discussed such kinds of information more fully and has not delved more deeply into the discoveries of the scientists and particularly the psychologists is regrettable.

The chapters upon "Uncontradicted Evidence," "Degree of Proof," and similar matters contain no new contributions to the already considerable supply of such literature. The material is poorly arranged. The treatment is encyclopedic — that is to say, there is not a comprehensive consideration of the principles marked out by the precedents. The author has also failed to use the knife to good purpose. Much material should have been omitted and many sections consolidated and shortened. It was hardly necessary, for instance, to include in three separate paragraphs the subjects "Surmising Negligence in Admiralty Cases," "Guessing concerning Contributory Negligence," and "Conjecture in Accident Insurance Cases."

F. W. B.

THE PRINCIPLES OF ANTHROPOLOGY AND SOCIOLOGY IN THEIR RELATIONS TO CRIMINAL PROCEDURE. By Maurice Parmelee. New York: The Macmillan Company. 1908. pp. viii, 410. 12mo.

This is a much needed book in this country, where so little attention has been given to scientific criminology. Penology, on the other hand, which deals with the criminal after he has been convicted and sentenced, has received more attention here than elsewhere. The whole question of dealing with the criminal prior to his sentence has been, in this country where the legal incubus is so far developed, assumed to belong exclusively to the lawyer, and the lawyer has cared notoriously little for science and scientific methods.

The science of criminology the author divides into two branches, criminal anthropology and criminal sociology, the former dealing with the characteristics of the criminal man, and the latter with the social causes of crime. The problem which he sets before himself is that of the readjustment of the principles of criminal procedure so that the data of criminology can be utilized in the treatment of criminals. Criminal procedure is not conceived as a purely legal process, but as a process by which the class called criminal is separated from the rest of society.

Chapters I and II are historical, dealing with the development of the science of criminology, mainly in Italy, where it has received more attention than elsewhere, beginning with the "Crimes and Punishments" of Cesare Beccaria in 1764. Chapter VI is devoted to a discussion of systems of criminal procedure, and the subsequent chapters are given up to a more constructive development of the author's own views.

One of the main generalizations is that procedure should be devoted more toward the finding out of the nature of the criminal, on the ground that punishment should be adjusted to the nature of the criminal rather than to the nature of the crime. Of course the nature of the crime is one, but only one, index of the nature of the criminal, and other indices should be used. The work is, throughout, scholarly and moderate in tone, though proposing positive, not to say drastic, reforms. The only serious lapse in the author's scholarly treatment is, in the opinion of the reviewer, on page 98, where he refers to heredity as the "cumulative result of social environment in the past." This is a position which few students of heredity now maintain.

T. N. C.

THE LAW OF REAL PROPERTY. By Raleigh Coltson Minor. In two volumes. University of Virginia: Anderson Brothers. 1908. pp. vi, 1038; 1038-1825. 8vo.

EFFECTS OF WAR ON PROPERTY. By Almá Latifi. With a note on BELLIGERENT RIGHTS AT SEA. By John Westlake. New York: The Macmillan Company. 1909. pp. x, 155. 8vo.

HANDBOOK OF AMERICAN MINING LAW. By George P. Costigan, Jr. Hornbook Series. St. Paul: West Publishing Company. 1908. pp. xiv, 765. 8vo.